

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22821 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- KATHAIYA District- Muzaffarpur

BACHCHA NATH RAI Son of Late Jamadar Rai Resident of Village- Patti
Aswari, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.A.G

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 188, 269, 290/34, 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 1377 litres of illicit foreign liquor from the *Bathan* of co-accused Chintu Rai.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner is father of accused Chintu Rai and is living separately. Nothing has been recovered from the conscious possession of petitioner or from his house.



Petitioner has got no criminal antecedent and is in custody since 27.03.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Kathaiya P.S. Case No. 37 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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